

Lower Rio Grande Valley Development Council

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Grassroots Organizations

EXECUTIVE DIRECTOR
Kenneth N. Jones, Jr.

August 22, 2012

Mr. Jorge Ramirez
Director of Disaster Recovery Program
Texas General Land Office (GLO)
PO BOX 12373
Austin, TX 78711-2873

RE: Waiver Request to GLO Round II Program Guidelines

Dear Mr. Ramirez:

The Lower Rio Grande Valley Development Council (LRGVDC), in its role as a sub recipient of funding for the Hurricane Ike/Dolly Round II Disaster Recovery Program believes that it is in the best interest of the residents of Cameron, Hidalgo and Willacy Counties to deviate in some limited cases from the Statewide Guidelines as written. We have invested much time and effort researching and drafting these Guidelines including citizen participation throughout the process in the form of our Housing Advisory Committee which included local affordable housing advocates, representatives of the local communities, LRGVDC staff, and persons with interests in the Colonia community.

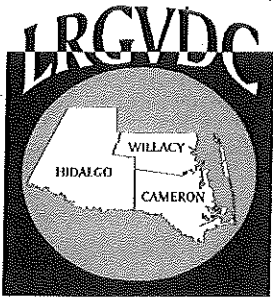
Due to unique situations in the Valley, we believe there are some practical changes needed and therefore request that the enclosed exceptions be considered as submitted which would constitute a waiver of the Texas General Land Office (GLO), Round II Program Guidelines.

I want to take this opportunity to thank you and the GLO team for consideration of this waiver request, and please do not hesitate to contact me or Marcie Oviedo should there be any questions or if additional information is needed to process this request.

Sincerely,

Kenneth N. Jones, Jr.
Executive Director

Cc: Marcie Oviedo, LRGVDC Director of Planning



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Round II Program Guidelines Request for Waiver

Date: August 22, 2012

Waiver Request: #1

The Lower Rio Grande Valley Development Council (LRGVDC), in its role as a sub-recipient of funding for the Hurricane Ike/Dolly Round II Disaster Recovery Program believes that it is in the best interest of the residents of Cameron, Hidalgo and Willacy Counties to deviate from the Statewide Guidelines as written and therefore request a waiver of the Texas General Land Office (GLO), Round II Program Guidelines.

The Guidelines state (Part A IV A. (Page 6 of 72) that "prior applications may be considered if they are within the designated targeted areas." The LRGVDC would like to allow that all Round 1 applications be allowed to participate in Round 2.2 whether or not those applicants are located within a target area. This request recognizes the efforts of the individual programs in Round 1 and allows the program to use these applications and therefore reduce administrative expenses in Round II.

The purpose of this waiver request is to allow for residents of the region who are currently on waiting lists to move into the Round II program without having to fill out a new application.

The LRGVDC respectfully requests that the GLO grant a waiver of the Round II Program Guidelines to include prior applications whether or not those applicants are located within a target area.

Submitted by:

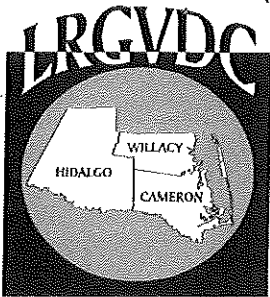
Kenneth N. Jones, Jr., Executive Director
 LRGVDC

8/22/12
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Approved by:

Jorge Ramirez, Director of Disaster Recovery
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Round II Program Guidelines Request for Waiver

Date: August 22, 2012

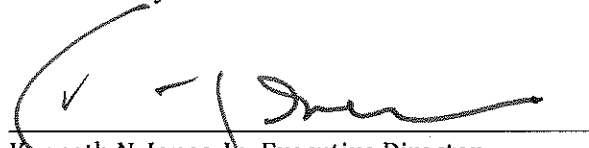
Waiver Request: #2

The Lower Rio Grande Valley Development Council (LRGVDC), in its role as a sub-recipient of funding for the Hurricane Ike/Dolly Round II Disaster Recovery Program believes that it is in the best interest of the residents of Cameron, Hidalgo and Willacy Counties to deviate from the Statewide Guidelines as written and therefore request a waiver of the Texas General Land Office (GLO), Round II Program Guidelines.


The Guidelines provide a method for determining the size of the unit that each applicant for reconstruction will receive. The LRGVDC would like a waiver of this methodology to allow a reduction in the number of bedrooms prescribed by the guidelines but only for cases where a reduction of the benefit received is necessary to satisfy a duplication of benefit issue. Due to issues with duplication of benefits (DOB), many potential applicants can be effectively eliminated from the program due to the inability to provide either receipts, clear repair reports, or repay the funds. Under an interpretation of the DOB rules issued by HUD since the Housing Guidelines were released, there is now a mechanism for reducing benefits to an applicant from the standard program benefits that will recognize and replace the DOB. One way to do this would be to reduce the occupancy that is allowable under the program guidelines. The LRGVDC seeks to provide the alternative to reduce the size of the unit based on occupancy. This will only be allowed for DOB issues and the policy will not allow 1 bedroom units.

The LRGVDC respectfully requests that the GLO grant a waiver of the Round II Program Guidelines Size of Unit Standard for applicants with a duplication of benefits issue.

Submitted by:

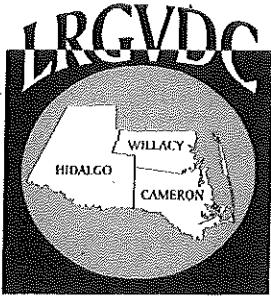

Kenneth N. Jones, Jr., Executive Director
LRGVDC

Approved by:


Jorge Ramirez, Director of Disaster Recovery
GLO

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Round II Program Guidelines Request for Waiver

Date: August 22, 2012

Waiver Request: #3

The Lower Rio Grande Valley Development Council (LRGVDC), in its role as a sub-recipient of funding for the Hurricane Ike/Dolly Round II Disaster Recovery Program believes that it is in the best interest of the residents of Cameron, Hidalgo and Willacy Counties to deviate from the Statewide Guidelines as written and therefore request a waiver of the Texas General Land Office (GLO), Round II Program Guidelines.

For the HOP program, the guidelines state (Part B . II. C. page 25 of 72) that "Beneficiaries may not be relocated to FEMA-designated 'High Risk' areas or areas of high minority or poverty concentration." The LRGVDC requests a waiver of this statement to allow for relocation to areas of high minority or poverty concentration so long as they are not in a FEMA-designated High Risk area.

In an effort to fully utilize the HOP program, the LRGVDC believes such a waiver is necessary. Because the HOP program will likely be used in colonias and all three counties have majority minority/ethnic concentrations in most census tracts leaving few areas available that would not violate the high minority concentration relocation. Given this, the LRGVDC will need this waiver to allow viable Fair Housing choice through relocations.

The LRGVDC respectfully requests that the GLO grant a waiver of the Round II Program Guidelines to allow for relocation of HOP applicants to areas with high concentrations of poverty and minority.

Submitted by:

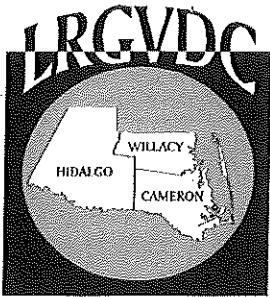
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Round II Program Guidelines Request for Waiver

Date: August 22, 2012

Waiver Request: #4

The Lower Rio Grande Valley Development Council (LRGVDC), in its role as a sub-recipient of funding for the Hurricane Ike/Dolly Round II Disaster Recovery Program believes that it is in the best interest of the residents of Cameron, Hidalgo and Willacy Counties to deviate from the Statewide Guidelines as written and therefore request a waiver of the Texas General Land Office (GLO), Round II Program Guidelines.

Because the mobility counseling and other aspects of the HOP program have not been finalized by the GLO, the LRGVDC would like to request a waiver of the 2 year timeline from the time the contract is signed between the GLO and LRGVDC. Instead, the LRGVDC would like to request that the 2 year timeline begin once those issues have been finalized. The LRGVDC feels that this is a foreseeable time delay that should be dealt with prior to program implementation.

The LRGVDC respectfully requests that the GLO grant a waiver of the Round II Program Guidelines execution date of the 2 year timeline for completion.

Submitted by:

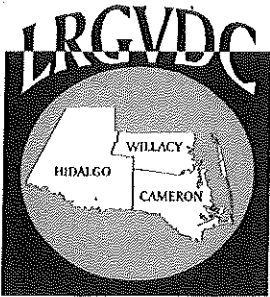
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Round II Program Guidelines Request for Waiver

Date: August 22, 2012

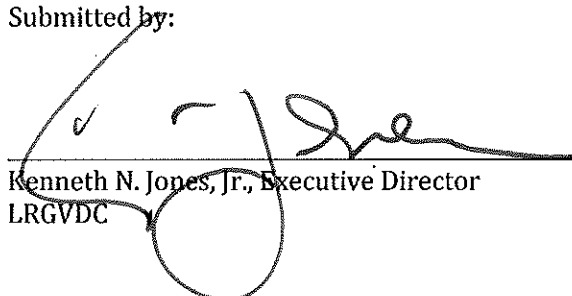
Waiver Request: #5

The Lower Rio Grande Valley Development Council (LRGVDC), in its role as a sub-recipient of funding for the Hurricane Ike/Dolly Round II Disaster Recovery Program believes that it is in the best interest of the residents of Cameron, Hidalgo and Willacy Counties to deviate from the Statewide Guidelines as written and therefore request a waiver of the Texas General Land Office (GLO), Round II Program Guidelines.

Under the Rental Program, the LRGVDC would like to request a waiver of the 2 year deadline from the time of contract signing. This may also constitute a waiver of Housing Guideline requirement that the project be completed within 18 months after the effective date of the contract (Attachment C Part A Multi-family Rental Program, A. Types and Amounts of Assistance, I. E.). Because the LRGVDC will need to perform a NOFA, evaluate proposals, underwrite projects, then submit to GLO for approval, the LRGVDC believes that the 2 year timeline should not begin until those activities are complete. The LRGVDC would be more favorable to a 2 year timeline for construction once projects are selected and approved by the GLO.

The LRGVDC respectfully requests that the GLO grant a waiver of the Round II Program Guidelines execution date of the 2 year timeline for completion.

Submitted by:


Kenneth N. Jones, Jr., Executive Director
LRGVDC

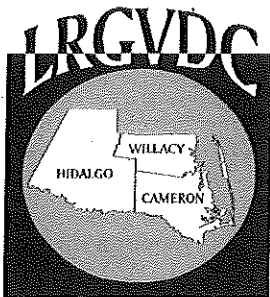
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Jorge Ramirez, Director of Disaster Recovery
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Round II Program Guidelines Request for Waiver

Date: August 22, 2012

Waiver Request: #6

The Lower Rio Grande Valley Development Council (LRGVDC), in its role as a sub-recipient of funding for the Hurricane Ike/Dolly Round II Disaster Recovery Program believes that it is in the best interest of the residents of Cameron, Hidalgo and Willacy Counties to deviate from the Statewide Guidelines as written and therefore request a waiver of the Texas General Land Office (GLO), Round II Program Guidelines.

Housing Caps are identified in the guidelines for several activities (Part A VII. Table page 12 of 72). The LRGVDC believes the caps for the following add on activities are too high for this region: Non-Coastal Elevation, Coastal Elevation, Water Wells, and Septic Systems. We understand that these are indeed a cap and we can spend less than the cap on these matters, however, we are concerned that given the limited amount of funds to address the need that exists in the community, local vendors might see the caps as an opportunity to inflate their estimates. Our preference would be to have the caps accurately reflect the costs of performance of these functions in the LRGVDC region.

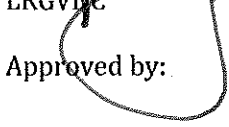
The LRGVDC requests a waiver to reduce the specified caps for the activities listed above and instead proposes to bid out these activities to third parties who perform these functions regionally to develop an appropriate cap for this region.

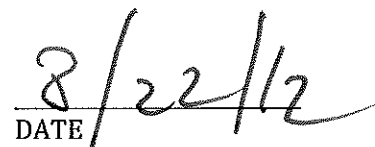
The LRGVDC respectfully requests that the GLO grant a waiver of the Round II Program Guidelines housing caps for Non-Coastal Elevation, Coastal Elevation, Water Wells, and Septic Systems.

Submitted by:

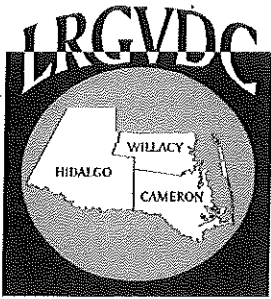

 Kenneth N. Jones, Jr., Executive Director
 LRGVDC

Approved by:


 Jorge Ramirez, Director of Disaster Recovery
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Round II Program Guidelines Request for Waiver

Date: August 22, 2012

Waiver Request: #7


The Lower Rio Grande Valley Development Council (LRGVDC), in its role as a sub-recipient of funding for the Hurricane Ike/Dolly Round II Disaster Recovery Program believes that it is in the best interest of the residents of Cameron, Hidalgo and Willacy Counties to deviate from the Statewide Guidelines as written and therefore request a waiver of the Texas General Land Office (GLO), Round II Program Guidelines.

Housing Caps are identified in the guidelines for several activities (Part A. VII table page 12 of 72). The LRGVDC believes the cap for rehabilitation projects is much too high for this region.

The LRGVDC requests a waiver of the rehabilitation cap of \$65,000 prescribed in the guidelines and instead proposes a rehabilitation cap of \$45,000 for the LRGVDC program.

The LRGVDC respectfully requests that the GLO grant a waiver of the Round II Program Guidelines rehabilitation cap and to decrease that cap to \$45,000.


Submitted by:


Kenneth N. Jones, Jr., Executive Director
LRGVDC

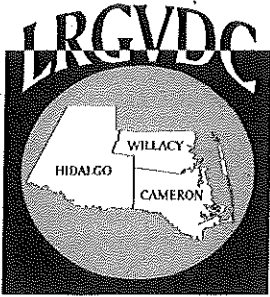
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Jorge Ramirez, Director of Disaster Recovery
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Round II Program Guidelines Request for Waiver

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Waiver Request: #8

The Lower Rio Grande Valley Development Council (LRGVDC), in its role as a sub-recipient of funding for the Hurricane Ike/Dolly Round II Disaster Recovery Program believes that it is in the best interest of the residents of Cameron, Hidalgo and Willacy Counties to deviate from the Statewide Guidelines as written and therefore request a waiver of the Texas General Land Office (GLO), Round II Program Guidelines.

The guidelines state that one objective (first citation part A I. A. c. page 2 of 72) is to "prioritize the provision of decent, safe and sanitary housing for elderly and disabled populations with an emphasis on housing choice and design to reduce maintenance and insurance costs as well as provide for the provision of independent living options." The LRGVDC would like to identify Veterans as a third group of population to be prioritized in this process. The State of Texas and the U.S. Government recognize the importance of supporting veterans in a variety of programs including employment preferences, housing assistance, educational opportunities, and medical care. The region has a strong veteran presence and would like to assist veterans in this program in a similar manner to elderly and special needs populations.

The LRGVDC respectfully requests that the GLO grant a waiver of the Round II Program Guidelines to allow for the addition of Veterans as a third population to be prioritized in this program.

Submitted by:

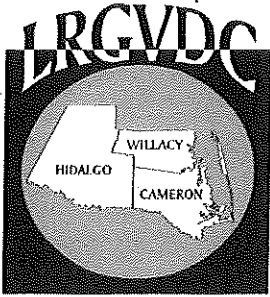
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Norie Gonzalez Garza
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Alvin Samano
 Member-at-Large

Don Medina
 Member-at-Large

Arturo Ramirez
 Grassroots Organizations

EXECUTIVE DIRECTOR
 Kenneth N. Jones, Jr.

Round II Program Guidelines Request for Waiver

Date: August 22, 2012

Waiver Request: #9

The Lower Rio Grande Valley Development Council (LRGVDC), in its role as a sub-recipient of funding for the Hurricane Ike/Dolly Round II Disaster Recovery Program believes that it is in the best interest of the residents of Cameron, Hidalgo and Willacy Counties to deviate from the Statewide Guidelines as written and therefore request a waiver of the Texas General Land Office (GLO), Round II Program Guidelines.

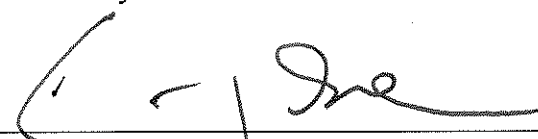
The guidelines specify the square footage requirements for reconstruction and new construction homes to be built in this process (Attachment A. II. L. Size of Units page 32 of 72). The LRGVDC believes these square footage requirements to be too high for this region and not comparable to other current housing stock.

Instead, the LRGVDC would like to propose the following minimum square footage requirements:

- a. 2 bedrooms 1 or 2 bath: 700 – 1000 sf
- b. 3 bedrooms 1 or 2 bath: 900 – 1200 sf
- c. 4 bedrooms 1 or 2 bath: 1100 – 1400 sf

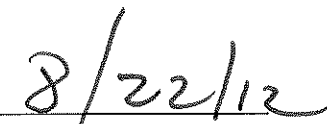
The LRGVDC respectfully requests that the GLO grant a waiver of the Round II Program Guidelines square footage requirements and allow the LRGVDC to adopt the proposed square footage requirements set forth above.

Submitted by:

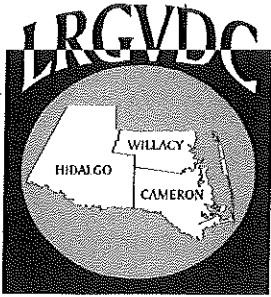

 Kenneth N. Jones, Jr., Executive Director
 LRGVDC

Approved by:

Jorge Ramirez, Director of Disaster Recovery
 GLO


 DATE

DATE



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EXECUTIVE DIRECTOR
 Kenneth N. Jones, Jr.

Round II Program Guidelines Request for Waiver

Date: August 22, 2012

Waiver Request: #10

The Lower Rio Grande Valley Development Council (LRGVDC), in its role as a sub-recipient of funding for the Hurricane Ike/Dolly Round II Disaster Recovery Program believes that it is in the best interest of the residents of Cameron, Hidalgo and Willacy Counties to deviate from the Statewide Guidelines as written and therefore request a waiver of the Texas General Land Office (GLO), Round II Program Guidelines.

The rental guidelines specify a cap of \$10,000,000 per project (Part A Multi-family Rental Program Types and Amounts of Assistance I. A. page 56 of 72). In an effort to encourage developers to leverage CDBG funding and provide additional funding from other sources into the project and thereby maximize the number of units that will be made available with this funding, the LRGVDC would like to lower the cap to \$5,000,000 per project.

The LRGVDC respectfully requests that the GLO grant a waiver of the Round II Program Guidelines rental cap of \$10,000,000 and allow the LRGVDC to use the proposed cap of \$5,000,000 per project.

Submitted by:

Kenneth N. Jones, Jr., Executive Director
 LRGVDC

DATE

Approved by

Jorge Ramirez, Director of Disaster Recovery
 GLO

DATE